

REMARKS

In accordance with the foregoing, claim 1 has been amended. No new matter has been added. Support for amended claim 1 may be located throughout the specification, for example, at page 28, lines 15-17. Claims 14-23 have been withdrawn. New claim 24 has been added. Therefore, claims 1-13 and 24 are pending and under consideration.

Applicants respectfully request that U.S. Patent No. 6,213,705 B1 (Wilson) be listed on form PTO-892.

On page 2 of the Office Action, claims 2-5, 7-9, and 13 were objected to due to alleged informalities. According to the Examiner, the claims are "replete with misspelled words." Applicants have reviewed the claims and have not noticed any such "informalities." Therefore, withdrawal of the objection is respectfully requested.

On page 3 of the Office Action, claims 1-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,213,705 (Wilson).

Wilson is directed to a tape storage library apparatus for managing tape cartridges. The apparatus includes an integrated camera (for example, an in-line camera) for reading labels of tape cartridges, a gripper for handling tape cartridges, a proximity sensor for sensing presence or absence of a cartridge in a storage slot, and a reach safe sensor for determining whether there are obstructions in the path of movement of the gripper. See Wilson, column 1, lines 48-62.

In contrast, the present invention, as defined by currently amended claim 1, is directed to a tele-inventory system for counting the number of commodities and/or checking the expiration dates of the commodities. In the present invention, various types of commodities in a shop are inventoried by a management apparatus that is installed remotely from the shop. One of the objects of the present invention is to conduct an inventory of commodities at a place separate from places where the commodities are sold. See Specification of the Present Invention, page 3, lines 22-26.

Applicants respectfully submit that the present invention, as defined by claim 1, is not obvious in view of Wilson. To rely on a reference as a basis for rejection of an applicant's invention, the reference must either be: (1) in the field of applicant's endeavor; or (2) be reasonably pertinent to the particular problem with which the inventor was concerned.

Applicants respectfully submit that Wilson is not in the field of Applicants' endeavor, nor is Wilson reasonable pertinent to the particular problem with which the inventor was concerned.

Applicants respectfully submit that one of ordinary skill in the art seeking to solve a problem of reducing a burden of inventorying commodities, for example, as in the present invention, would not be reasonably expected or motivated to look to tape storage management,

which is directed to the problem of inefficient tape storage management, as described in Wilson. Applicants further respectfully submit that not only are the problems to be solved by Wilson and the present invention different, the functions of the systems between Wilson and the present invention are different. In particular, for example, one of the functions of the present invention is to count commodities for inventory. Wilson's function of managing tape cartridges is completely different and is unrelated to the above-identified function, for example, of the present invention.

Therefore, Applicants respectfully submit that Wilson is nonanalogous art with respect to Applicants' invention.

Further, Applicants respectfully submit that Wilson fails to disclose or suggest, "an image-transmitter means for transmitting . . . images of the . . . commodities to the remote management apparatus." Wilson also fails to disclose or suggest a remote management apparatus including an image-receiver means and a display means. In contrast to the present invention, in Wilson, the in-line scan camera simply reads labels on tape cartridges and does not transmit an image to a remote management apparatus, as in the present invention. See Wilson, column 5, lines 6-23. Wilson does not include a remote management apparatus, as the components of Wilson, that is, the cameras and sensors, are physically integrated. See Wilson, FIGs. 1 and 3.

Therefore, Applicants respectfully submit that assuming *arguendo* that Wilson is analogous art, Wilson fails to teach or suggest the above-identified features. Hence, the present invention, as defined by claim 1 is not obvious over Wilson. As claims 2-13 depend from claim 1, Applicants respectfully submit that claims 2-13 are not obvious over Wilson, for at least the reasons presented above with respect to claim 1, in addition to other reasons. For example, claim 10 recites language pertaining to a mobile information processing terminal. Wilson is silent as to such a terminal.

New claim 24 has been added. Applicants submit that new claim 24 is patentable over Wilson, as Wilson does not teach or suggest, "imaging an item and remotely conducting inventory of the item based on said imaging."

The above-identified features of the present invention are unique to the present invention and allow an effect of the present invention to be realized, that is, allowing inventory to be conducted at a location different than that of where the items being inventoried are located.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

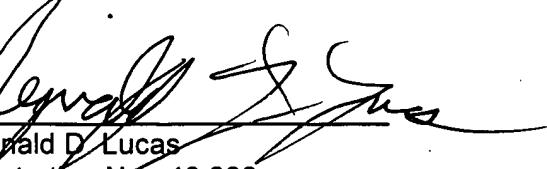
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 27 Jun 05

By: 

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